

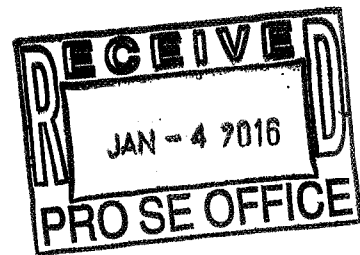
Chan Ah Wah and Lim Cheek Kee Willy

Case # 15 cv 08974 (LGS)

against

HSBC North America Holdings Inc.,
HSBC Bank PLC; HSBC Holdings PLC,
HSBC Bank USA N.A.; HSBC
Securities (USA) Inc; HSBC Private Bank

Letter re: Status about case



Dear Honorable Judge Schofield,

Good day to you, your honor,

The Defendant HSBC Banks sent Plaintiffs a copy of draft letter on Dec 22, 2015 about a different action from Plaintiffs' claim of Antitrust claim (Dkt. 1) Sherman Act, Clayton Act via email and Plaintiffs received on 12/26/15 regular mail for joint letter to discuss and submit prior to Pretrial conference dated Jan 7, 2016. Plaintiffs then submitted their own single letter on Dec 29, 2015 (Dkt 20) to the Court as per Judge's order of Dec 16, 2015 (Dkt. 18).

In the proposed draft letter, Defendant HSBC Banks informed the Court that Plaintiffs did not plead or inform the Court about the case # 13-cv-04789-JPO (Diversity case) in new action case (15 cv 08974-LGS). Judge Oetkan has to find out if Plaintiffs' new proposed action (~~13-cv-04789-Dkt~~) (of Antitrust case)

is a prejudiced against Defendant HSBC Bank for at the time Defendant alleged (Dkt. 21 of 13 cv-04789). So Plaintiffs in their letter to Judge Oetkan, submitted evidences of transaction note, a letter given to Plaintiffs by the Defendant HSBC Bank

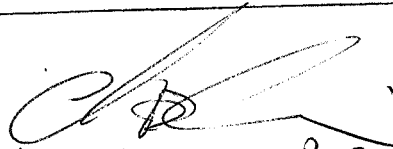
confirmed that Plaintiffs directly traded with their dealers on FX trading, etc. (13 cv 04789 Dkt. 22, 23, 24, 25, 26). Judge Oetkan in his order (Dkt 26) ordered that Plaintiffs filed (13 cv 04789) was dismissed without prejudice and after reviewing the new action or proposed complaint of Antitrust case; "the court denied to amend but Plaintiffs may file new action" (Dkt. 18). In Plaintiffs' ^{Anti-trust} complaint (15 cv 08974-LGS) detailed how the benchmark was manipulated through action were inherently collusive and conspiratorial - the sharing of proprietary pricing information and agreeing on trading strategies to manipulate the Fix. (Dkt. 242 of 13 cv 7789), "Defendant also conceded at oral argument, as they must, that any particular transaction that a particular plaintiff entered into with a particular Defendant on a day that the fix was manipulated to that Plaintiff's detriment would sufficiently demonstrate injury in fact as to that Plaintiff."

Plaintiffs also wanted to inform the Court that 30 days expired from the Form A0398 and Form A0399 (Dkt. 10) and no reply from Defendant HSBC Bank to execute "Due process" rights for Plaintiffs.

On Dec 30, 2015, Class action co-lead counsel, Mr. Christopher Burke contacted Plaintiffs about consolidation of case with In re Foreign Exchange Benchmark Rates Antitrust Litigation and he mentioned the Court has contacted him for these actions with Plaintiffs. ^(Exhibit 1) And, Plaintiffs would meet Mr. Burke in his office in New York on Jan 6, 2016 at 11:00 pm. Thank you. Your Honor.

Respectfully submitted by:
Jan 4, 2016


Lim Cheok Kee Willy, Prose


Chan Ah Wah, Prose
cc: HSBC Bank, Locke Lord, LLP



December 31, 2015

Via ECF

Honorable Lorna G. Schofield
 U.S. District Court
 Southern District of New York
 Thurgood Marshall Courthouse
 40 Foley Square
 New York, NY 10007

Re: *In re Foreign Exchange Benchmark Rates Antitrust Litigation*
 Civil Action No. 1:13-cv-07789-LGS

Dear Judge Schofield:

We write on behalf of Class Plaintiffs in the above-captioned action (the "Consolidated FX Action") in response to the Court's December 9, 2015, December 14, 2015, and December 16, 2015 Orders in *Nypl v. JP Morgan Chase & Co.*, No. 15-cv-9300-LGS and *Chan Ah Wah v. HSBC North America Holdings Inc.*, No. 15-cv-08974-LGS. These Orders directed the parties to confer on consolidation of these cases with the Consolidated FX Action. Lead Counsel have conferred with counsel for all parties in the *Nypl* and *Chan Ah Wah* actions regarding consolidation. At this time, Class Plaintiffs oppose consolidation of *Nypl* and *Chan Ah Wah* with the Consolidated FX Action. Class Plaintiffs respectfully submit that the Court would benefit from briefing on the issue.

Respectfully submitted,

SCOTT+SCOTT, ATTORNEYS AT LAW, LLP	HAUSFELD LLP
<u>/s/Christopher M. Burke</u>	<u>/s/Michael D. Hausfeld</u>
Christopher M. Burke	Michael D. Hausfeld
707 Broadway, Suite 1000	1700 K Street, NW, Suite 650
San Diego, CA 92101	Washington, DC 20006
Telephone: 619-233-4565	Telephone: 202-540-7200
cburke@scott-scott.com	mhausfeld@hausfeld.com
<i>Co-Lead Counsel for Class Plaintiffs</i>	<i>Co-Lead Counsel for Class Plaintiffs</i>